

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

TYRESHIA R. BATEMEN,

Petitioner,

v.

ANGELA MESMER,

Respondent.

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No. 2:19-CV-65-NCC

MEMORANDUM AND ORDER

This is a closed civil action in which all matters were pending before the undersigned United States Magistrate Judge, with consent of the parties, pursuant to 28 U.S.C. § 636(c). On October 8, 2019, the Court dismissed this action after petitioner failed to respond to the Court's August 26, 2019 order directing her to show cause why her petition should not be dismissed as time-barred. On October 29, 2019, petitioner filed a letter advising that the Court's prior orders had not been mailed to her.

Upon review of petitioner's letter and the case record, the Court finds that the prior orders were in fact not mailed to petitioner. The Court will therefore vacate its prior orders dismissing this action and order the case reopened. The Court will also direct the Clerk to send petitioner a copy of the Court's August 26, 2019 Order for Petitioner to Show Cause, and give petitioner 30 days to respond.

Accordingly,

IT IS HEREBY ORDERED that the Court's October 8, 2019 Memorandum and Order and Order of Dismissal (ECF Nos. 8 and 9) are **VACATED**.

IT IS FURTHER ORDERED that the Clerk of Court shall reopen this case.

IT IS FURTHER ORDERED that the Clerk of Court shall mail to petitioner the Court's August 26, 2019 Order for Petitioner to Show Cause. (ECF No. 7).

IT IS FURTHER ORDERED that, within 30 days of the date of this order, petitioner shall file a response to the August 26, 2019 Order for Petitioner to Show Cause.

Petitioner's failure to file a response to the August 26, 2019 Order for Petitioner to Show Cause within 30 days of the date of this order shall result in the dismissal of this case, without prejudice and without further notice.

Dated this 30th day of October, 2019.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE